

AO 440 (Rev. 8/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT

Southern

District of

New York

RCPI LANDMARK PROPERTIES, LLC
and TOP OF THE ROCK LLC

SUMMONS IN A CIVIL ACTION

V.
FLORA DESIGN, INC. and
KIMIE MIYAMOTO (An Individual)

CASE NUMBER:

08 CV 00402

TO: (Name and address of Defendant)

Flora Design, Inc.
211 West 28th Street
Second Floor
New York, New York 10001

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

DAY PITNEY LLP
7 Times Square
New York, New York 10036-7311

an answer to the complaint which is served on you with this summons, within 20 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

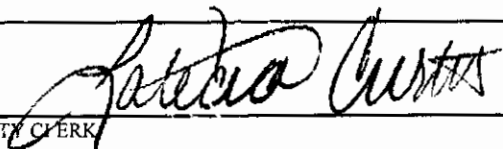
J. MICHAEL McMAHON

JAN 16 2008

CLERK

DATE

(By) DEPUTY CLERK





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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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RCPI LANDMARK PROPERTIES, LLC and
TOP OF THE ROCK LLC,
Plaintiff(s),

JUDGE LYNCH

Index No. 08 CV 00402

-against-
FLORA DESIGN, INC. and KIMIE MIYAMOTO
(An Individual),
Defendant(s).

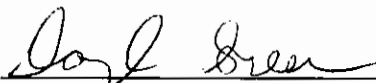
AFFIDAVIT OF SERVICE

-----X
STATE OF NEW YORK)
S.S.:
COUNTY OF NEW YORK)

DARRYL A. GREEN, being duly sworn, deposes and says that he is over the age of eighteen years, is employed by the attorney service, DLS, INC., and is not a party to this action.

That on the 23rd day of January 2008, at approximately 12:35 p.m., deponent served a true copy of the **SUMMONS IN A CIVIL ACTION, COMPLAINT DEMAND FOR JURY TRIAL, RULE 7.1 DISCLOSURE STATEMENT, CIVIL COVER SHEET, INDIVIDUAL PRACTICES OF MAGISTRATE JUDGE DEBRA FREEMAN AND INDIVIDUAL PRACTICES IN CIVIL CASE GERARD E. LYNCH, UNITED STATES DISTRICT JUDGE** upon Flora Design, Inc. at 211 West 28th Street, 2nd Floor, New York, NY 10001, by personally delivering and leaving the same with Kimie Miyamoto, Owner, who informed deponent that she is an officer authorized by law to receive service at that address.

Kimie Miyamoto is a Asian female, approximately 65 years of age, stands approximately 5 feet 0 inches tall and weighs approximately 100 pounds with black hair and brown eyes.


DARRYL A. GREEN #0866535

Sworn to before me this
29th day of January, 2008


NOTARY PUBLIC

JONATHAN T. RIPPS
Notary Public, State of New York
NO. 01360109718
Qualified in 2004 and County
Certificate Filed in New York County
Commission Expires May 17, 2008 